



City Council Agenda

Council President
Ken Steitz

Councilmembers

Tom Boyajian
Garry Bredefeld
Chris Mathys, Acting Council President

Henry Perea
Sal Quintero
Daniel Ronquillo

City Manager
Jeffrey M. Reid

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, JULY 20, 1999

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON (www.ci.fresno.ca.us). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

8:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of June 29, 1999

Action Taken:

- A. Council election to receive pass through of tax increment from South Fresno, Central City, and Airport Redevelopment Project Areas
1. **RESOLUTION** - Electing to receive part of the tax increments for the South Fresno Industrial Revitalization Redevelopment Project pursuant to Health and Safety Code Section 33607.5 (*Council action*)
Action Taken:
 2. **RESOLUTION** - Electing to receive part of the tax increments for the Central City Commercial Revitalization Redevelopment Project pursuant to Health and Safety Code Section 33607.5 (*Council action*)
Action Taken:
 3. **RESOLUTION** - Electing to receive part of the tax increment for the Airport Area Revitalization Redevelopment Project pursuant to Health and Safety Code Section 33607.5

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

8:30 A.M.

(Council action)

JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED

- B. HEARING** - Consider approval of the following actions regarding the Southwest Fresno Police Substation at the Kearney Palms Shopping Center Project

Action Taken:

1. **COUNCIL RESOLUTION** - Approving a “cooperation agreement and agreement to finance and construct police substation,” between the Redevelopment Agency and City of Fresno, either (i) in the form and on the terms proposed by Agency staff, or (ii) in the form and on the terms proposed by City staff; and (b) making certain findings pursuant to Health and Safety Code Sections 33445 and 33679 (*Council action*)

Action Taken:

2. Authorize and direct the City Manager, or designee, to execute and administer the contract (*Council action*)

Action Taken:

3. **AGENCY RESOLUTION** - Approving a “cooperation agreement and agreement to finance and construct police substation,” between the Redevelopment Agency and the City of Fresno, either (i) in the form and on the terms proposed by Agency staff, or (ii) in the form and on the terms proposed by City staff; (*Agency action*) (*Continue to August 17, 1999, at 8:30 a.m.*)

Action Taken:

4. Authorize and direct the Executive Director or designee, to execute and administer the contract (*Agency action*) (*Continue to August 17, 1999, at 8:30 a.m.*)

Action Taken:

- C.** Consider approval of the following actions regarding the United States Economic Development Administration (EDA) Public Improvement Grant for the Roeding Business Park Redevelopment Project Area

1. **RESOLUTION** - Approving an agreement between the City of Fresno and the Redevelopment Agency for the administration of the EDA Grant and the promissory note terms for the local match monies loaned by the City to the Agency (i) in the form and on the terms proposed by Agency staff, or (ii) in the form and on the terms proposed by City staff; and making certain findings pursuant to Health and Safety Code Section 33445 (*Council and Agency action*)

Action Taken:

2. Authorize the Agency Executive Director and City Manager, or their designees, to execute and administer the agreement (*Council and Agency action*)

Action Taken:

ADJOURN AGENCY

****ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

9:00 A.M. COUNCIL ROLL CALL

Invocation by Monsignor Esquivel of St. John's Cathedral

Pledge of Allegiance to the Flag

Certificates of Commendation to "Name the Millennium Celebration" Contest Category Winners: Michael Robbins, Alexandria Walker, Jamie Meadows and Jesse Owens, the Overall Winner - Councilmember Ronquillo

Proclamation of "AUDRA MCDONALD DAY" - Councilmember Quintero

Resolution of Commendation to Old-Time Fiddlers Association - Acting President Mathys

Proclamation of "MEAGHAN SUSSMAN DAY" - Councilmember Boyajian

Proclamation of "MEGHAN QUINN DAY" - Councilmember Boyajian

COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of June 29, 1999

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS

9:00 A.M. Discussion regarding the Hidalgo Project Area, Phase I, II, and III - Councilmember Perea

Action Taken:

9:05 A.M. Appearance by Deborah Smith to address a plumbing problem

Action Taken:

9:10 A.M. Appearance by David Wells to discuss Electric Vehicles of America (EVA) and the creation of 900+ jobs in Fresno by manufacturing hybrid electric buses

Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

9:15 A.M. Approve recommendations for Community Housing Development Organizations (CHDO) project applications and authorize the City Manager, or his designee to negotiate and prepare the development agreements with the CHDOs, allowing minor modifications to achieve the intent of the Council action

Action Taken:

9:30 A.M. **HEARING** regarding City of Fresno Community Facility District No. 2, Annexation No. 12 (Tract Nos. 4487 and 4833)

Action Taken:

1. **RESOLUTION** - Annexing territory to Community Facilities District No. 2 and authorizing the levy of a special tax

Action Taken:

2. **RESOLUTION** - Calling special mailed-ballot election

Action Taken:

3. **RESOLUTION** - Declaring election results

Action Taken:

4. * **BILL** - Levying a special tax for the property tax year 1999-2000 and future tax years within and relating to Community Facilities District No. 2, Annexation No. 12, City of Fresno, California

Action Taken:

9:45 A.M. **HEARING** to consider Rezoning Application No. R-99-16, filed by Robert Siegrist, to rezone a 2.09-acre parcel of land located on the south side of E. Saginaw Way between N. Del Mar and N. Blackstone Avenues from P, off-street parking zone district, to C-6, heavy commercial zone district

Action Taken:

1. **BILL** - Amending the Official Zone Map to rezone from P zone district to C-6 zone district

Action Taken:

10:00 A.M. **HEARING** to consider approval of assessments for costs incurred by the City for weed discing, trash and debris removal for FY 98-99 and adopt resolution establishing assessments to recover City costs

Action Taken:

- a. * **RESOLUTION** - Establishing assessments to recover City costs

Action Taken:

- b. Appearance by Lucille Davis to oppose the assessment of a tax lien for abatement of her properties

Action Taken:

10:15 A.M. **CONTINUED HEARING** to consider the cancellation of a portion of Agricultural Land Conservation Contract No. 8, for 28.56 acres located on the southeast corner of S. East and E. North Avenues and waiver of the cancellation fee

Action Taken:

1. * **RESOLUTION** - Approving the cancellation and waiver of fee

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:45 A.M. HEARING to consider Rezoning Application No. 99-13, filed by Granville Homes, Inc., to rezone 2.3 acres of a 19.6 acre planned development, for property located on the north side of E. Teague Avenue between N. Chestnut and N. Willow Avenues

Action Taken:

1. **BILL** - Amending the Official Zone Map to rezone from AE-20/UGM to R-1/UGM

Action Taken:

11:00 A.M. CONTINUED HEARING to consider Plan Amendment Application No. A-99-05 and Rezoning Application No. R-99-010, filed by Jeffrey Baird for 1.17 acres, located at 4949 N. Glenn Avenue (*Planning Commission's recommendation to continue for 6 months*)

Action Taken:

2:00 P.M.#1 **DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

2:00 P.M.#2 **CLOSED SESSION**

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -

Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Wildcat Enterprises v. City of Fresno
2. **Case Name:** Victoria Anderson v. City of Fresno, et al.
3. **Case Name:** River Park Properties v. City of Fresno and City of Clovis
Robert J. Rosati v. City of Fresno and City of Clovis
4. **Case Name:** N. T. Hill v. City of Fresno
5. **Case Name:** Floyd White v. City of Fresno
6. **Case Name:** Sherry Long v. City of Fresno (Claim No. 397-5212)
7. **Case Name:** Gilbert Murrietta v. City of Fresno (Claim No. 392-5373, 397-5153, 398-0037)
8. **Case Name:** Earl Remily v. City of Fresno (Claim No. 395-5170, 397-203)

Action Taken:

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -

Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

1. City of Fresno vs. U.S. Army Corps of Engineers and The Boeing Company, et al.
2. Claim of Josette Jordan
3. County of Fresno v. City of Fresno

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2:00 P.M.#2

CLOSED SESSION CONTINUED

C. CONFERENCE WITH REAL PROPERTY NEGOTIATOR - Government Code Section 54956.8

Property: Lease Agreement with Fresno County relating to Van Ness Avenue and Inyo Street Spiral Parking Garage

Negotiating parties: Jeffrey Reid, Robert Quesada, negotiators for the City of Fresno; John Weiser, negotiator for the County of Fresno

Under Negotiation: Instructions to negotiators concerning price, terms of payment, and other lease terms and conditions

Action Taken:

2:00 - 4:00 P.M. WORKSHOP on AB 939 - Strategy decisions

Action Taken:

- a. Set Council policy relating to the strategy for Fresno to meet the AB 939 State mandate for 50% landfill reduction

Action Taken:

4:05 P.M. RESOLUTION - Supporting constitutional amendment banning desecration of the American flag - Acting President Mathys

Action Taken:

1A. GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)

1. * **RESOLUTION - 2nd amendment to AAR No. 99-181 appropriating \$105,000 to receive funding for the FY 2000 portion of the Violence Against Women Law Enforcement Specialized Units Program**
(Requires 5 affirmative votes)

Action Taken:

2. Award a contract for reconstruction of N. Third Street, N. Bond Street, E. Harvey Avenue and E. Thomas Avenue neighborhood streets

Action Taken:

3. Authorize the Chief of Police to enter into an agreement with the King of King's Housing Development Corporation I for the City to receive \$75,000 for the purpose of providing community education and crime prevention activities at selected housing complexes

Action Taken:

- a. * **RESOLUTION - 1st amendment to AAR No. 99-181 appropriating \$37,500 to provide police services for the new approach anti-drug program**
(Requires 5 affirmative votes)

Action Taken:

- b. * **RESOLUTION - 1st amendment to PAR No. 99-182 to provide one (1) Community Services Officer II for the new approach anti-drug program**

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

4. Approve cargo building lease and agreement between the City of Fresno and the Hertz Corporation
Action Taken:
5. Authorize disposal of surplus fire apparatus
Action Taken:
6. * **RESOLUTION** - Rescinding and superseding Resolution No. 95-198, which ordered the vacation of W. Belgravia Avenue between S. Channing Avenue and S. Teilman Avenue and S. Channing Avenue between W. Florence Avenue and W. Belgravia Avenue
Action Taken:
7. Approve sale of City-owned remnant parcel on Figarden Drive to the Church of Jesus Christ of Latter-Day Saints
Action Taken:
8. Accept Lots 18 and 19 of Tract No. 4377, located at E. Grove and S. Judy from Centex Homes as an open space/park site
Action Taken:
9. Approve acquisition of property necessary for the construction of N. Sommerville Drive
Action Taken:
10. Approve the sale of surplus property adjacent to Pump Station No. 183 at Chestnut and Byrd Avenues
Action Taken:
11. * Amend the Fiscal Year 2000 Capital Improvement Program to substitute a cold recycling project at various locations in lieu of the North Avenue Project from State Route 99 to State Route 41
Action Taken:
12. **RESOLUTION** - Accepting a grant offer from the California Transportation Commission, California Aid to Airports Program for airfield improvements at Fresno/Chandler Downtown Airport and authorizing the execution of the grant agreement by the Director of Transportation
Action Taken:
13. Authorize the Parks, Recreation and Community Services Director to enter into a Consultant Agreement for design of the Riverside Trail Section of the Lewis S. Eaton Trail and prepare cost estimates for grant application for Riverbottom Park
Action Taken:
14. * **RESOLUTION** - 1st amendment to Salary Resolution No. 99-175 increasing the salary for the classes of Emergency Services Dispatcher I/II/III represented by the Fresno City Employees Association Non-Supervisory White Collar Unit 3 (FCEA)
Action Taken:

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

**ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION*

1. * **BILL** - Repealing Article 4 of Chapter 13 of the Fresno Municipal Code and adding Article 4 of Chapter 13 to the Fresno Municipal Code relating to historic preservation

Action Taken:

2. Amendment to the Uniform Fire Code:

- a. **RESOLUTION** - Affirming the express findings for modifications of the Uniform Fire Code

Action Taken:

- b. * **BILL** - Repealing and Re-enacting Article 7 of Chapter 9, Section 9-70103.1.4 and Section 9-71003.2 of the Fresno Municipal Code relating to Fire Prevention

Action Taken:

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

- A. Ratification of supplemental response of the 1998-99 Grand Jury Report

Action Taken:

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. Request City Manager to have 5287 E. Grant gutter ground in order for the standing water to drain to the proper outlet at 5181 E. Grant - Councilmember Quintero

Action Taken:

- B. Appoint three Councilmembers to the Social Services Funding Committee - Council President Steitz

Action Taken:

- C. **RESOLUTION** - Supporting legislation that would extend \$5.8 million for an Amtrak Station in Fresno - Council President Steitz

Action Taken:

- D. **RESOLUTION** - Supporting "The Fair Competition and Taxpayers Savings Act" initiative and legislation - Council President Steitz

Action Taken:

- E. * **RESOLUTION** - 3rd amendment to AAR No. 99-181 appropriating \$600 from District 2's General Fund Infrastructure Capital Budget to provide funds to non-infrastructure related projects - Acting President Mathys (*Requires 5 affirmative votes*)

Action Taken:

5. **CITY COUNCIL ITEMS CONTINUED**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

- F. Status report on multipurpose stadium - Councilmember Bredefeld
Action Taken:
- G. Direct staff to return to the City Council with a proposal and transfer of funds resolution (to cover project processing costs) to rezone properties in the San Joaquin Riverbottom in conformance with adopted City plans - Councilmember Perea
Action Taken:
- H. Approve preparation of appropriation documents for charter amendment to allow each Council District to have two permanent positions - Councilmember Ronquillo
Action Taken:
- I. **RESOLUTION** - Authorizing the Parks, Recreation, and Community Services Department Director to accept donation of Kiosks and installation thereof from, and enter into and sign an advertising agreement with the Downtown Association - Councilmember Ronquillo
Action Taken:

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

SCHEDULED COUNCIL HEARINGS AND MATTERS

July 27 - 9:00 A.M. Presentation of P.R.I.D.E. Team Certificates for the Summer Quarter

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

(Reception immediately following - 2nd floor foyer)

July 27-10:00 -11:00 A.M. WORKSHOP relating to Selland Arena Expansion - Councilmember Perea

July 27 - 11:15 A.M. Discussion and direction regarding formation of a voluntary citizen's task force related to evaluating social service funding for future budgets - Councilmember Bredefeld

Aug. 3 - NO MEETING - COUNCIL VACATION

Aug.10 - NO MEETING - COUNCIL VACATION

Aug. 17 - 10:00 A.M. Multipurpose Downtown Stadium:

- 1.** Discussion re: public models for construction of stadium
- 2.** Direct City Attorney to require FDG to make public all financial information - Acting President Mathys
- 3.** Direct City Attorney to prepare ballot measure for construction of stadium - Acting President Mathys

Aug. 17 - 10:30 A.M. **HEARING** re: regional air quality issues and alternative power sources - Councilmember Perea

Aug. 17 - 11:00 A.M. **HEARING** re: P.A. A-99-15, Rezone Appl. R-99-24, filed by Dirk Poeschel, representing Calcot LTD and Vendo Co.

Aug. 17 - 11:30 A.M. **HEARING** re: P.A. No. 99-08, Rezone Appl. No. 99-17, filed by Balber Grewal

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***